

THURSDAY, MARCH 10, 1983

THIRTEENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative David Copeland of Hamilton County.

Representative Copeland led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

The Speaker announced that Representative Nance was excused because of funeral of Fire Chief Philip McCall of Germantown.

The Speaker announced that Representative Bragg was excused to attend a N.C.S.L. Leader's meeting in Washington, D.C.

**THURSDAY, MARCH 10, 1983--13th LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos. 31, 32, 34, 35, 39, 48, 52, 55, 56, 57, 58, 59, 61, 64, 65, 66, 69, 70 and 80; also, House Bills Nos. 18, 68, 127 and 248; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos:

18--To prohibit drug paraphernalia;

422--To regulate office, private investigators;

1015--To amend Charter, White Bluff; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 18, 68, 127 and 248; and House Joint Resolutions Nos. 31, 32, 34, 35, 39, 48, 52, 55, 56, 57, 58, 59, 61, 64, 65, 66, 69, 70 and 80; for his action.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos. 86 and 136; both for the signature of the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: Senate Bills Nos. 86 and 136.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 12, 62, 65, 69, 80, 81, 88, 114, 185, 198, 213, 216, 217, 218, 219, 241, 242, 318, 319, 332, 336, 339, 354, 355, 365, 603, 611, 620, 662 and 663; and House Joint Resolutions Nos. 33, 36, 37, 38 and 50; with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No:

45--Relative to retaining composition, certain statistical areas; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos:

72--Relative to congratulating Rosemark Academy cheerleading squad;

73--Relative to congratulating Glen Liford, Maynardsville;

74--Relative to congratulating Charles Hurst;

75--Relative to honoring Mayor Charles Hall; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

CALENDAR

House Bill No. 98--To amend Title 62, Chapter 7, Code.

Mr. Moore (Shelby) moved that House Bill No. 98 be passed on third and final consideration, which motion prevailed by the following:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 576--To provide for additional member, Board of Regents,

Mr. McNally moved that House Bill No. 576 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

House Bill No. 601--To make certain provisions, automobile insurance.

On motion, House Bill No. 601 was made to conform with Senate Bill No. 340.

On motion, Senate Bill No. 340, on same subject, was substituted for House Bill No. 601.

Mr. Rhinehart moved that Senate Bill No. 340 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Scruggs and Severance--2.

A motion to reconsider was tabled.

House Bill No. 370--To increase penalty, delinquent taxes.

Mr. DePriest moved that House Bill No. 370 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 370 by deleting the words "not exceeding" from the amendatory language of Section 1 and by substituting instead the words "not less than".

AND FURTHER AMEND by adding the following language as a new Section 2, renumbering subsequent sections accordingly:

SECTION 2. This act shall only apply to any county having a population of not less than twenty-four thousand six hundred (24,600) nor more than twenty-four thousand seven hundred (24,700) according to the 1980 federal census of population or any subsequent federal census.

On motion, the amendment was adopted.

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Thereupon, House Bill No. 370, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gata, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 538--To amend Section 8-35-217, Code.

Mr. Yelton moved that House Bill No. 538 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 538 by deleting Section 1 and substituting the following:

**SECTION 1.** Tennessee Code Annotated, Section 8-35-217, is amended by deleting that section in its entirety and substituting instead the following:

Except for cost of living adjustments granted in accordance with Sections 8-35-207, 8-35-208, and 8-38-701, any provision of the retirement system contained in Chapters 34-37 and Chapter 39 of this title, which is optional to participating political subdivisions, shall remain effective until July 1, 1983.

On motion, the amendment was adopted.

Thereupon, House Bill No. 538, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 206--To regulate certain products subject to abuse.

Mr. Kelley moved that House Bill No. 206 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

# AMENDMENT NO. 1

Amend House Bill No. 206:

Section 3 by striking the words and figures two (2) and substituting the words and figures one (1) in lieu thereof.

On motion, the amendment was adopted.

Thereupon, House Bill No. 206, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh,

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Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--93.

A motion to reconsider was tabled.

House Bill No. 544--To make provisions, parking for handicapped.

Mr. Yelton moved that House Bill No. 544 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

House Bill No. 73--To repeal Section 49-1238, Code.

On motion, House Bill No. 73 was made to conform with Senate Bill No. 108.

On motion, Senate Bill No. 108, on same subject, was substituted for House Bill No. 73.

Mr. Robinson (Hamilton) moved that Senate Bill No. 108 be passed on third and final consideration.

Mr. Owen moved the previous question, which motion failed by the following vote:

Ayes . . . . .	48
Noes . . . . .	41
Present and not voting . . . . .	2



Representatives voting aye were: Bell, Bivens, Buck, Burnett, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Gaia, Gill, Herndon, Hillis, Jared, Jones, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murray, Naifeh, Napier, Owen, Pruitt, Rhinehart, Robinson (Davidson), Sir, Stallings, Starnes, Wallace, Wheeler, Whitson, Work and Yelton--48.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Cobb, Copeland, Duer, Elsea, Ford, Frensley, Gafford, Hassell, Henry, Hudson, Hurley, Huskey, Kelley, Kent, McAfee, McNally, Montgomery, Moore (Shelby), Murphy, Percy, Pickering, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Smith, Stafford, Tanner, Ussery, Webb, Williams, Wix, Wolfe, Wood--41.

Representatives present and not voting were: Harrill and Mr. Speaker McWherter--2.

Thereupon, Senate Bill No. 108 passed its third and final consideration by the following vote:

Ayes . . . . .	72
Noes . . . . .	23

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Ford, Gaia, Gill, Harrill, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Wix, Work, Yelton and Mr. Speaker McWherter --72.

Representatives voting no were: Atchley, Chiles, Clark (Sumner), Copeland, Duer, Elsea, Frensley, Gafford, Hassell, Hudson, Kent, McAfee, McNally, Moore (Shelby), Percy, Pickering, Shirley, Smith, Stafford, Ussery, Williams, Wolfe and Wood--23.

A motion to reconsider was tabled.

House Bill No. 199--To amend Section 8-21-1001, Code.

On motion, House Bill No. 199 was made to conform with Senate Bill No. 213.

On motion, Senate Bill No. 213, on same subject, was substituted for House Bill No. 199.

Mr. Huskey moved that Senate Bill No. 213 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes . . . . .	95
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

Mr. Rhinehart moved that House Bill No. 364 be placed on the Calendar for Thursday, March 31, 1983, which motion prevailed.

House Bill No. 36--To regulate abolition of municipal charters.

Mr. Hudson moved that House Bill No. 36 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 36 by deleting from the amendatory language of Section 1 the word and figure "three (3)" and substituting instead the word and figure "two (2)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 36, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	94
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills,

Dispayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --94.

Representative present and not voting was: DeBerry--1.

A motion to reconsider was tabled.

House Bill No. 211--To require affidavit, sale of boats.

Mr. Kent moved that House Bill No. 211 be passed on third and final consideration.

Mr. Crain moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 211 by deleting from Section 1(a) the words and punctuation "regardless of price /or size, sold or offered for sale in this state" and by substituting instead the following:

sold or offered for sale in this state for a price in excess of five hundred dollars (\$500).

Mr. Wix moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes . . . . .	11
Noes . . . . .	70
Present and not voting . . . . .	6

Representatives voting aye were: Bell, DeBerry, Ellis, Elsea, Ford, Gafford, King (Shelby), King (Washington), Napier, Robinson (Davidson) and Wix--11.

Representatives voting no were: Anderson, Atchley, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Dispayne, Dixon, Drew, Duer, Frensley, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kisber, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Percy, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith,

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Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton--70.

Representatives present and not voting were: DePriest, Harrill, Love, Owen, Shirley and Work--6.

Thereupon, on motion, Amendment No. 1 was adopted.

Thereupon, House Bill No. 211, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	92
Noes . . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Mr. Speaker McWherter--92.

Representative present and not voting was: Cobb--1.

A motion to reconsider was tabled.

**CONSENT CALENDAR**

**OBJECTION**

An objection was filed to the following bill on the Consent Calendar:

Mr. Buck objected to House Bill No. 272.

Under the rules, House Bill No. 272 was placed at the foot of the Calendar for Monday, March 14, 1983.

**NOTICE PURSUANT TO RULE NO. 57**

Pursuant to Rule No. 57, the sponsor gave notice of his intention to consider the following measure from the Senate on Monday, March 14, 1983:

House Bill No. 5--Disspayne

Mr. Owen moved that the rules be suspended for the purpose of introducing House Bill No. 1221 out of order, which motion prevailed.

**INTRODUCTION OF BILL**

House Bill No. 1221--To impose certain tax, Knox County--By Owen, Miller, Scruggs, Drew, Severance, Smith and Hudson.

Passed first consideration.

Mr. Yelton moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 45 out of order, which motion prevailed.

Senate Joint Resolution No. 45--Relative to retaining composition, certain statistical areas.

Mr. Yelton moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 45, which motion prevailed.

Mr. Yelton moved that Senate Joint Resolution No. 45 be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	94
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House Senate Bill No. 203, as requested.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 203

Senate Bill No. 203--To amend Section 5-9-101, Code.

Mr. Sir moved that the motion to reconsider Senate Bill No. 203 be lifted from the table, which motion prevailed.

Mr. Sir moved that the House reconsider its action in passing Senate Bill No. 203 on third and final consideration, which motion prevailed.

Mr. Sir moved that Senate Bill No. 203 be re-referred to the Committee on State and Local Government, which motion prevailed.

SECOND ROLL CALL

The roll call was taken with the following results:

Present . . . . . 95

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 90--Relative to erecting interstate signs, State Museum--By Bragg.

The Speaker referred House Joint Resolution No. 90 to the Committee on Transportation.

House Joint Resolution No. 92--Relative to honoring Cheryl Evans--By Miller, Scruggs, Drew, Severance and Owen.

Under the rules, House Joint Resolution No. 92 was referred to the Committee on Calendar and Rules.

House Resolution No. 14--Relative to commending Association of Tennessee Valley Counties--By Rhinehart.

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Under the rules, House Resolution No. 14 was referred to the Committee on Calendar and Rules.

**SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 18--To prohibit drug paraphernalia.

Passed first consideration.

Senate Bill No. 422--To regulate office, private investigators.

Passed first consideration.

Senate Bill No. 1015--To amend Charter, White Bluff.

Passed first consideration.

**SENATE BILL ON SECOND CONSIDERATION**

Senate Bill No. 238--To name "Robert C. Easley Bridge".

Passed second consideration and referred to Committee on Transportation.

**HOUSE BILLS ON SECOND CONSIDERATION**

House Bill No. 1214--To increase compensation, clerical staff, Claiborne County road department.

Passed second consideration and held without reference.

House Bill No. 1215--To amend charter, White Bluff.

Passed second consideration and held without reference.

House Bill No. 1216--To increase severance tax, Carroll County.

Passed second consideration and held without reference.

House Bill No. 1217--To repeal Chapter 43, Private Acts, 1965.

Passed second consideration and held without reference.

House Bill No. 1218--To create trust fund for medically indigent, certain counties.

Passed second consideration and held without reference.

**BILLS WITHDRAWN**

On motion of Mr. Jared House Bill No. 987 was recalled from the Committee on Conservation and Environment.

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On motion of Mr. Jared, House Bill No. 987 was withdrawn from the House.

On motion of Mr. Yelton, House Bill No. 227 was recalled from the Committee on Judiciary.

On motion of Mr. Yelton, House Bill No. 227 was withdrawn from the House.

### **SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 211--Clark (Sumner)

House Bill No. 390--Love

House Bill No. 497--Love

House Bill No. 553--Love

House Bill No. 601--Miller

House Bill No. 927--Frensley

### **LOCAL BILLS REFERRED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 744, 1216, 1217 and 1218.

### **STATEMENT BY MR. SMITH**

**MR. SPEAKER:**

Although it was necessary for me to be absent for important business reasons on February 28, March 1, 2, and 3, 1983, this is to request that my votes listed below be recorded in the Journal.

February 28, 1983: HB 164, Aye; HB 168, Aye; HB 172, Aye; HB 174, Aye; HB 181, Aye; SB 50, Aye; HB 396, Aye; Consent Calendar, Aye;

March 1, 1983: HB 334, Aye; SB 136, Aye; HB 19, Aye; HJR 43, Aye; HB 184, Aye; HB 127, Aye; Consent Calendar, Aye; HJR 69, Aye; HJR 80, Aye;



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March 3, 1983: HB 196, Aye; SB 90, Aye; HB 190, Aye; HB 248, Aye; HB 249, Aye; SB 296, Aye; Consent Calendar, Aye; HJR 82, Aye.

Loy L. Smith

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, March 14, 1983: House Bills Nos. 264, 93, 389, 192, 103, 95, 17, 189, 7 and 220.

GILL, Chairman.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 36, 98, 206, 211, 370, 538, 544 and 576; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, March 14, 1983: House Bills Nos. 608, 1216, 1217, 1218, 744, House Resolution No. 14, and House Joint Resolution No. 92.

GILL, Chairman.

**ENROLLED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolutions Nos. 72, 73, 74 and 75; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate

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Bills Nos. 310, 741 and 852; also, Senate Joint Resolution No. 6; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 72, 73, 74 and 75; Senate Bills Nos. 310, 741 and 852; and Senate Joint Resolution No. 6.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

208--To create Probate Court, Sullivan County;

754--To make certain provisions, Hardeman County highway department;

755--To provide for run-off election, mayor of Bolivar;

770--To amend Chapter 533, Private Acts, 1903;

819--To amend Charter, Martin;

823--To enact highway law, Trousdale County;

837--To amend Chapter 553, Acts of 1903;

988--To regulate operation of watercraft on Nolichucky River; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

91--Relative to memory, Fire Chief Philip McCall; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to transmit to the House, Senate

**Bills Nos:**

338--To fix mutual assistance, fire fighting;

371--To regulate publication, delinquent tax lists;

427--To regulate removal, vegetation, private property;

501--To allow interlocal cooperation, certain fire departments;

605--To amend Section 5-5-105, Code;

606--To regulate management of funds, certain counties; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bills Nos.:

152--To make recommendations, juvenile court referees;

189--To regulate investment, State Treasurer;

204--To regulate rates and rating organizations;

247--To regulate sale, unclaimed property;

250--To regulate retainage, construction contracts;

284--To amend Section 9-8-220(f), Code;

294--To allow county legislative bodies, leave county owned property;

343--To regulate State Credit Union Share Insurance Corporation;

344--To regulate Volunteer State Corporate Central Credit Union;

374--To regulate granting professional land surveyors, certain circumstances;

381--To regulate collection, delinquent taxes;

396--To regulate compensation, certain utility district commissioners;

469--To amend Section 4-21-108, Code;

489--To amend Title 7, Chapter 36, Part 1, Code;

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568--To regulate board of examiners for land surveyors;

603--To amend Section 67-2003, Code;

800--To regulate liens, unclaimed vehicles; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

On motion of Mr. Naifeh, the House adjourned until 6:00 p.m.  
Monday, March 14, 1983.